

Applicant: Wilhelmsen et al.
Application No.: 10/800,562

REMARKS/ARGUMENTS

Claims 1 - 10 are currently pending in this application. Claim 11 is cancelled without prejudice.

Claim Rejections - 35 USC § 112

Claims 1 - 10 were rejected in the Action under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. The Action states:

The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art the inventor(s), at the time the application was filed, had possession of the claimed invention. Nowhere in the specification (sic) is found that the new limitation (sic) of amended claim 1 regarding that fixtures are attached onto a plasterboard and the use of fasteners connecting the fixtures to the plasterboard and to the bracket.

Applicants respectfully traverse the rejection. As stated in the enclosed Declaration at paragraphs J - K, one of ordinary skill in the building materials art and construction knows that fasteners are used to connect fixtures to plasterboard. Furthermore it is known to use a cross member as a support behind plasterboard in order to fasten heavier objects to the plasterboard. Furthermore, the specification

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on page 1, lines 9 - 21, describes that nailing strips are used when recessed boxes are to be mounted behind plasterboard and that plaster walls have inadequate load-bearing capacities when heavy articles are mounted directly on the wall without being secured to load-bearing structures.

Based on the arguments presented above, withdrawal of the § 112 rejection of claims 1 - 10 is respectfully requested.

Election/Restrictions

The Action stated that claim 11 was directed to an invention that is independent or distinct from the invention originally claimed. Without conceding the validity of the restriction, applicants have cancelled claim 11 without prejudice.

Conclusion

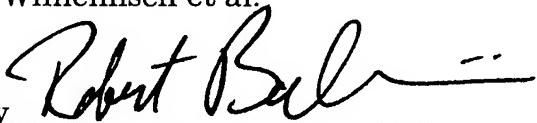
If the Examiner believes that any additional minor formal matters need to be addressed in order to place this application in condition for allowance, or that a telephone interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

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In view of the foregoing remarks, Applicants respectfully submit that the present application, including claims 1 - 10, is in condition for allowance and a notice to that effect is respectfully requested.

Respectfully submitted,

Wilhelmsen et al.

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RJB/pp
Enclosure